
From: Somboonlakana, Donna
To: Waye, Don
Sent: 1/30/2015 10:54:51 AM
Subject: RE: Heads-up: EPA and NOAA to disapprove Oregon's coastal nonpoint program today

Wow, that is news.

From: Waye, Don
Sent: Friday, January 30, 2015 9:45 AM
To: Fancieullo, Sandra; Somboonlakana, Donna; Suffian, Fred; Brown, Yolanda; Davenport, Thomas; Gluckman, Matthew; Lamb, Brad; Schaff, Steve; Monahan, Peter; Yin, Christina; Ziegler, Sam
Cc: Hall, Lynda; Carlin, Jayne; Croxton, Dave
Subject: Heads-up: EPA and NOAA to disapprove Oregon's coastal nonpoint program today

Regional 319 Coordinators,

Lynda and I just wanted to make you aware that EPA, along with NOAA, are making a decision today to jointly disapprove Oregon's coastal nonpoint program under Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA). This decision will be formally announced in the Federal Register in the next week or so. Until then, please do not share this news outside of EPA or NOAA. (However, we do expect this story to be in the Oregon area news, and possibly beyond, as early as today.)

Here's some background:

Coastal states that participate in the National Coastal Zone Management Program are required to develop a coastal nonpoint program designed to prevent and control polluted runoff in coastal waters. While Oregon has made significant progress on meeting many of the requirements, NOAA and EPA found that Oregon did not satisfy the program requirements related to forestry.

The statute provides for NOAA and EPA to withhold a portion of funding under Section 306 of the Coastal Zone Management Act and Section 319 of the Clean Water Act, respectively, when a finding is made that a state has not submitted a fully approvable coastal nonpoint program. While NOAA and EPA may withhold funding as early as July 1, 2015, the agencies will jointly evaluate the State's progress in addressing its remaining program gaps when deciding whether and when funding would be withheld. CZARA provides for any funds withheld from one state to be reallocated to states with fully approved coastal nonpoint programs. (There's a list of 22 fully approved coastal states and territories across Regions 1, 2, 3, 4, 5 and 9.)

Today's decision was taken to fulfill the requirement of a lawsuit settlement agreement and followed an earlier NOAA/EPA announcement in the Federal Register of our intent to find that Oregon has not submitted a fully approvable coastal nonpoint program. However, it is not the end of our cooperation with Oregon to complete the development of a fully approvable coastal nonpoint program. The federal agencies remain committed to continuing to work closely with Oregon to help it achieve this goal. In addition, the efforts the state makes to meet its CZARA requirements will also be valuable for the recovery of coho salmon.

Additional information, including the decision document developed by NOAA and EPA, the federal agencies' response to comments, and other documents related to the Oregon decision is available at <http://coast.noaa.gov/czm/pollutioncontrol/#Oregon>

Please do not hesitate to contact me or Lynda Hall with any questions.

Don Waye

